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Atty. Dkt. No. 034536-1481

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Axel ULLRICH et al.

Title: *Novel PTP-20, PCP-2, BDP1, CLK, And SIRP
Proteins And Related Products And Methods*

Appl. No.: 10/087,993

Filing Date: March 5, 2002

Examiner: J. Murphy

Art Unit: 1646 /

TRANSMITTAL

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Transmitted herewith is a Response to Restriction Requirement in the above-identified application.

[X] The fee required for additional claims is calculated below:

	Claims As Amended		Previously Paid For		Extra Claims Present		Rate		Additional Claims Fee	
Total Claims:	14	-	20	=	0	x	\$18.00	=	\$0.00	
Independent Claims:	9	-	9	=	0	x	\$86.00	=	\$0.00	
First presentation of any Multiple Dependent Claims:							+	\$290.00	=	\$0.00
CLAIMS FEE TOTAL									=	\$0.00

[] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/>	Extension for response filed within the first month:	\$110.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the second month:	\$420.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the third month:	\$950.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fourth month:	\$1,480.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fifth month:	\$2,010.00	\$0.00
	EXTENSION FEE TOTAL:		\$0.00
<input type="checkbox"/>	Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$110.00	\$0.00
	CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:		\$0.00
<input type="checkbox"/>	Small Entity Fees Apply (subtract 1/2 of above):		\$0.00
	TOTAL FEE:		\$0.00

☐ A check in the amount of \$.00 is enclosed.

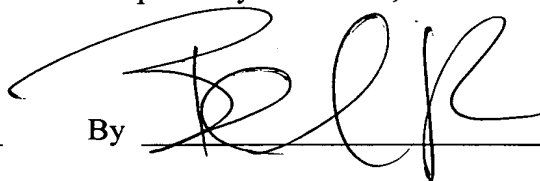
☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date April 22, 2004

By



FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5475
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Beth A. Burrous
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Registration No. 35,087



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RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

This communication is responsive to the Restriction Requirement dated March 22, 2004, concerning the above-referenced patent application.

The Examiner has required restriction between:

Group I. Claims 9-12, drawn to a BDP1 polypeptide, classified in class 530, subclass 350.

Group II. Claims 13-17, drawn to an antibody to BDP1 and a hybridoma, classified in class 530, subclass 387.1.

Group III-VII. Claims 18-20, drawn to a nucleic acid chosen from ONE of the following: the nucleic acid sequences set forth in Figure 1, 2, 3, 4, 5; a vector and a host cell, classified in class 435, subclass 69.1.

Group VIII. Claims 21-23, drawn to a method of identification of a compound that binds BDP1, classified in class 435, subclass 7.2.

Group IX. Claim 24, drawn to a method for diagnosing a disease, classified in class 435, subclass 7.1.

Group X. Claim 25, drawn to a method of treatment, classified in class 514, subclass 2.

Applicants provisionally elect Group I, Claims 9-12 for examination, with traverse. Applicants traverse the restriction requirement because examining all of the pending claims presents no undue burden on the Examiner. According to MPEP § 803, "if a search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to independent and distinct inventions."

The pending claims are in condition for allowance. An early notice to this effect is earnestly solicited. Should there be any questions concerning this application, Examiner Canella is invited to contact the undersigned at the number listed below.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date April 22, 2004

By 

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